

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
THURSDAY, JULY 24, 2014**

PRESENT: Peter F. Murphy, Springfield District
Frank A. de la Fe, Hunter Mill District
Janet R. Hall, Mason District
James R. Hart, Commissioner At-Large
Ellen J. Hurley, Braddock District
John C. Ulfelder, Dranesville District
James T. Migliaccio, Lee District
Earl L. Flanagan, Mount Vernon District
Kenneth A. Lawrence, Providence District
John L. Litzenberger, Jr., Sully District
Janyce N. Hedetniemi, Commissioner At-Large
Timothy J. Sargeant, Commissioner At-Large

ABSENT: None

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The meeting was called to order at 8:16 p.m., by Chairman Peter F. Murphy, in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035.

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COMMISSION MATTERS

Commissioner Sargeant stated that the Planning Commission's Residential Studio Unit Committee had met earlier this evening to review a report from staff summarizing the activities of the Committee and to consider a final action that would recommend adjournment of the Committee and its consideration of the proposed Zoning Ordinance Amendment pertaining to Residential Studio Units. In addition, he stated that the Committee's recommendation to the Planning Commission would be made to the meeting on Wednesday, July 30, 2014.

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Commissioner Hart announced that the Planning Commission's Environment Committee would meet on Wednesday, July 30, 2015 at 7:00 p.m. in the Board Conference Room of the Fairfax County Government Center to receive a presentation from staff regarding upcoming changes to the Noise Ordinance and continue discussion on electric vehicle charging station infrastructure. He added that the meeting was opened to the public.

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Chairman Murphy said that he would not be in attendance for the Planning Commission meeting on Wednesday, July 30, 2014, which was the final meeting before the August recess. On behalf of the Commission, he commended staff from the Department of Planning and Zoning, the

Planning Commission office staff, and the crew from Fairfax County Channel 16 for their work. In addition, Chairman Murphy recognized his fellow Commissioners for their work. He also acknowledged the work of the Commissioners and Donna Pesto, Zoning Administration Division, Department of Planning and Zoning, on the Zoning Ordinance Amendment regarding Residential Studio Units. In addition, Commissioner Lawrence commended Chairman Murphy for his leadership on the Planning Commission.

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FS-Y14-19 – VERIZON WIRELESS, 14425 Penrose Place

Chairman Murphy: WITHOUT OBJECTION, I MOVE THE CONSENT AGENDA items – or ITEM, as the case may be.

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Without objection, the motion carried by a vote of 12-0.

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SE 2013-MA-010 – DEYI AWADALLAH (Decision Only)
(The public hearing on this application was held on April 24, 2014.)

Commissioner Hall: Thank you, Mr. Chairman. Mr. Chairman, the application before us requests the Board's approval of a Special Exception to permit the construction of a child care center on three consolidated parcels located on Glen Carlyn Drive. I should mention this application is SE 2013-MA-010. As you will recall from the earlier public hearing, the application property is 2.25 acres and is zoned to the R-3 District. The majority of the site is located within a Resource Protection Area and a 100-year flood plain. The resulting buildable area of the site is long, narrow, and a rectangle, and only about 30 percent of the site can be developed. Our decision on this application is governed, of course, by the Zoning Ordinance and, in particular, by the standards that are set forth in Zoning Ordinance 9-006. After carefully considering this application, I believe we should recommend denial of this application because the proposed child care center does not substantially conform to the guidance provided in the Comprehensive Plan and it also fails to satisfy several of the Zoning Ordinance standards. Pursuant to one such standard, all Special Exceptions must be in harmony with the Comprehensive Plan. The Comprehensive Plan text for this area states that the Glen Forest sector is largely developed as stable residential neighborhoods, which is exactly the type of development surrounding the application property. Further, the Plan text provides that infill development should follow the guidance provided in Land Use Objectives 8 and 14 of the Policy Plan. Land Use Objective 8 provides for protection of existing neighborhoods by requiring that infill development in these neighborhoods be of a compatible type, use, and intensity and not cause adverse impacts on existing transportation systems. Objection – objective 8 also discourages commercial development unless the intensity and the scale is compatible with surrounding residential uses. This application proposes a non-profit – a for-profit commercial daycare facility to be located on a site that is directly contiguous to parcels developed with single-family dwellings on three sides. The proposed design of the child care center further magnifies the problem. Due to the

environmental constraints created by the RPA and the 100-year flood plain, the applicant has proposed to crowd the building, parking lot, drive aisles, and play area onto only one-third of the site, effectively increasing the intensity of the use and reducing the available buffer area across a majority of the northern property line to only 16 feet. The scale of the proposed building also is not compatible with the existing neighborhood. The average size of neighboring single-family dwellings is approximately 2,000 square feet. The applicant has proposed to – proposed to construct a 10,450 square-foot building. Even though this size marks a reduction of 1,000 square feet from the original proposal, the building would still be five times larger than neighboring homes and is much larger than required for 50 children. The building is also proposed to be 126 feet in length. Thus, the fundamental problem with this application still exists – it attempts to mass too intense a structure and too intense a proposed use on this significantly constrained site. For these reasons, I find that this application fails to satisfy the Zoning Ordinance’s general standard requiring that all Special Exception applications be in harmony with the Comprehensive Plan. The Zoning Ordinance further requires the proposed use to be such that pedestrian and vehicle – vehicular traffic will not be hazardous or conflict with the existing or anticipated traffic in the neighborhood. Likewise, the Locational Guidelines for Child Care Facilities state that such facilities must, “[A]void creating undesirable traffic, noise, and other impacts upon the surrounding community,” and they should be located and designed to, “ensure safe and convenient access,” and, “safe and effective on-site circulation of automobiles and pedestrians.” And we heard at length during the public hearing that this application proposes a traffic circulation pattern that fails to ensure safe and convenient access on-site and creates undesirable traffic impacts for the community. The applicant has proposed to construct a left-turn lane on Glen Carlyn Drive for traffic turning into the site. The turn lane would be located directly across from the driveway out of the site. Other Commissioners have expressed concerns that the cars stacking in the left-turn lane would block cars from leaving the site, causing back-ups on-site and creating potential for accidents. The reality is that drivers attempting to leave the site will either be on their way to work and likely in a rush or impatient to get home after a long day at work. This time pressure and impatience may cause drivers to attempt illegal maneuvers, creating a safety hazard for the drivers and the community. Other drivers impatient to turn left may also make a right out of the site, drive down Glen Carlyn Drive, and attempt a U-turn on Hardwick Place or elsewhere in the neighborhood. This traffic pattern would create additional adverse impacts on the surrounding community. The applicant revised his plan to reduce the number of children the center is designed to serve from 99 down to 50, which naturally will also reduce the number of trips to and from the application property. The reduction in trips alone, however, did not eliminate the conflict between the left-turn lane and the site exit. Unfortunately, the applicant failed to address this concern in any meaningful way and I continue to have grave concerns about the extent to which this proposal will create a hazardous condition and conflict with existing traffic in the neighborhood. Of all these concerns – are intensified by the anticipated traffic generation of the proposed daycare center. Glen Carlyn Drive is already a heavy-use connector road between Route 50 and Route 7. We heard testimony that it averages 11,000 trips per day. The volume of anticipated traffic to and from the site is also likely to coincide with rush hour traffic on Glen Carlyn Road because the center proposes to open at 7:00 and to close at 6:00, times that neighboring residents may also be leaving for or coming home from work. Child care facilities are also directed by the Locational Guidelines to ensure the safety of children. Members of the public and fellow Commissioners expressed concern at the public hearing that the applicant did not provide a walkway on-site, forcing parents to push strollers or walk with children in the same drive aisles as cars pulling into the site, backing out of parking spaces, and

queuing up to turn left out of the site. Due to site constraints, the applicant still has not provided a walkway. Based on these transportation and safety concerns that I have outlined and that are evident from a review of the applicant's plan, I find that this proposal would have substantial adverse traffic impacts and therefore cannot be approved under the Zoning Ordinance criteria. Moreover, General Standard 3 in Zoning Ordinance 9-006 requires that the proposed Special Exception to be harmonious with and not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted Comprehensive Plan. It also requires that the nature and extent of screening, buffering, and landscaping be such that the use will not hinder or discover – not discover – discourage the development and use of adjacent or nearby land or buildings. This application requests a few modifications, most notably a modification of the transitional screening requirement along the northern property boundary. In reality, the application must request this modification because there is no room for a 25-foot buffer – the full length of the northern property line once the environmental limitations are factored into the layout. Further, although the applicant has indicated a willingness to provide off-site plantings on the adjacent properties to the north to enhance screening, this offer merely highlights the limitations of the application property – that is, the buildable area is so narrow that the applicant would have to go onto neighboring properties to provide adequate transitional screening. In light of the applicant's requested modification and the concerns expressed by the public hearing – at the public hearing by property owners to the north, as well as the traffic and safety impacts to the community, I find that the application does not satisfy this standard. Despite some effort on the part of the applicant to modify the building design and reduce the number of students, our concerns about traffic and safety remain unresolved, and a modification of transitional screening is still requested. The bottom line is that the applicant is proposing to locate a commercial use of incompatible scale and intensity on a very constrained site in a stable residential neighborhood. I believe that the application's failure to comply with numerous and mandatory standards for approval conclusively establishes that we should recommend denial. Therefore, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT DENY SE 2013-MA-010.

Commissioners Hart and Lawrence: Second.

Chairman Murphy: Seconded by Mr. Hart and Mr. Lawrence. Is there a discussion of the motion? All those in favor of the motion –

Commissioner Lawrence: Mr. Chairman?

Chairman Murphy: Yes.

Commissioner Lawrence: I just would like to say for the record that the problem is – we may encounter this problem again where we have people required to make turns from busy streets into and from sites. If there were no other concern with this, it would still raise the probability – the mathematical probability – of accidents due to conflicts in such a situation. I support Commissioner Hall's motion for that and the other reasons that she cited. Thank you, Mr. Chairman.

Commissioner Migliaccio: Mr. Chairman?

Chairman Murphy: Further discussion? Mr. Migliaccio.

Commissioner Migliaccio: Just for clarification, I was not here for the public hearing. But I did watch it on video tape and I will be voting on this this evening.

Chairman Murphy: Okay. Mr. Hart.

Commissioner Hart: Yes, thank you, Mr. Chairman. I'm going to support the motion also. And I just – I wanted to emphasize with respect to General Standard 4 under the general standards for a Special Exception, which I – and I think all of these are mandatory – “The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.” On a site as narrow as this where, in order to squeeze in everything that they could, they eliminated the sidewalk, we place the pedestrians and the parents in the drive aisle walking – the cars and the parents loading and unloading and walking and rushing to their next appointment. That doesn't work. The turning movements on a site where the left-turn lane is blocking the cars coming in and out also are never going to work. This is a good use. This is not the kind of site it can work on, however.

Chairman Murphy: Further discussion? All those in favor of the motion to recommend to the Board of Supervisors that it deny SE 2013-MA-010, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Sargeant: Mr. Chairman?

Chairman Murphy: Yes.

Commissioner Sargeant: Abstain, not present for the public hearing.

Chairman Murphy: Okay, Mr. Sargeant abstains – not present for the public hearing.

Commissioner Hall: Number one, I'm glad my voice lasted long enough to get through that. Secondly, I'd like to thank members of the community who came out to hear the decision. I did recommend they stay home, but they don't listen. But anyway, thank you for coming out and for all your help through this application.

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(The motion carried by a vote of 11-0-1. Commissioner Sargeant abstained.)

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SE 2014-MA-003 – KENNETH H. FISHER (Decision Only)
(The public hearing on this application was held on July 10, 2014.)

Commissioner Hall: All right, before we go on verbatim – oh, I don't know how to do this. Okay, I want to –

Chairman Murphy: Ms. Strobel, would you come forward and identify yourself for the record? Because I think Ms. Hall wants to ask you to reaffirm something.

Commissioner Hall: Actually, what I would like her to do – if you recall the public hearing, the community – this part doesn't have to go on the public – it doesn't matter – that she would meet with the citizens. The application had come before Mason District and had received its support. I had an "Aha!" moment. When you have communities that don't have homeowners associations, I – you know, and I've done this a really long time – I'm recommending to the applicants that they say notices – not registered – to those people who are going get those letters later to say, "This case will be heard at Mason District and contact me if you have questions." You know – why I didn't think of that before – I just assumed, probably, it happened. But it was really clear in this case they don't have a homeowners association and they don't want one. So in cases like this, I would send notices. Now Ms. Strobel can tell you about the meeting.

Lynne Strobel, Applicants Agent, Walsh, Colucci, Lubeley & Walsh, PC: Thank you. Mr. Chairman, members of the Planning Commission, my name is Lynne Strobel. I represent the applicant. As Commissioner Hall stated, when we were last before you, there was a request to set up a community meeting, which was held on July the 16th, which was last Wednesday. And just a bit of information about how contact was made for that meeting – I did contact everyone who had given me their information who was here. In addition, on July 15th – the day before – the executive director of Bethany House went and knocked on doors of immediate neighbors to make sure they knew about the meeting and had an opportunity to be there. And, in fact, three people showed up at that meeting that were not at the public hearing so I do think that that was effective in making sure that the word was out regarding this application. During that discussion at the meeting – and I think, as evident in front of the Planning Commission – there needs to be a better way to communicate, as between residents and Bethany House. And as a result, I have generated six proposed development conditions, which I have provided to staff – which I think you have a copy of. I would just like to go through those quickly with a couple of remarks. The first is that the applicant will designate a community liaison and point of contact. And I appreciate – and that individual's name and address and – I'm sorry – name and telephone number and email address will be provided. If there is no civic association, I really thought this might generate a desire for a civic association – apparently not. But I put in here a designated – you know, neighborhood resident because there just needs to be a point of contact on their side too. So we would provide that information – contact information to the designated representative, as well as the Mason District Supervisor's Office, and make sure that that's updated if that contact person changed – changes. In addition, a locked box – as we talked about, I think, perhaps a little bit at the hearing – will be provided in proximity to the front door. It will not identify what goes on here, but it will have comments, suggestions – it will be identified so that people know that they can put a suggestion or concern in that box and they will be contacted. So we'll make sure that that's accessible and clearly marked for its intended purpose.

In addition, the community liaison and whoever the neighborhood designates – we will coordinate a maximum of four meetings a year – so quarterly – whereby we can get together to talk about topics of mutual interest. If, as often happens, there's no desire to meet – if there – you know, if there's nothing to discuss, it can be fewer than four meetings or none at all, if that's the desire of the community. We will have a telephone number that is posted near the front door that may be called to submit complaints, suggestions, or concerns. Part of the routine maintenance of the house – and this is already being done, but we're putting it in writing – will be the pickup of trash and litter. And we're also placing some limitations on the hours of construction in deference to the fact that this is in a neighborhood. So with that, I think that we have – at least in my perspective – we have done our best to try to address those concerns that we heard and I'll be happy to answer any questions.

Commissioner Hall: Anybody have any questions?

Chairman Murphy: Okay, anyone have any questions? Ms. Hedetniemi – Mr. Flanagan.

Commissioner Hedetniemi: One of the questions that I asked was with regard to the staff members who are on-site. And one of the concerns that was raised was that at times, there was no staff member there.

Ms. Strobel: Correct.

Commissioner Hedetniemi: And I asked could you coordinate so that – among those three or four or however many there are so that there is always a staff member on-site at all times?

Ms. Strobel: Bethany House did investigate that and the cost of doing that was excessive and they have a lot of the case work that has to be done in their offices – you know, sometimes people – you know, individuals from Bethany House do come to the house. But it was not deemed feasible to do that, although I will say that – you know, these are residents. They have their keys to get in. This is their home and they treat it as such. And there absolutely is someone there – you know, overnight. There is someone who resides there. Now they may come in and out like all of us do to do errands, but is someone who does live at that house. And if you would like further explanation, I would be happy to invite the executive director forward to more thoroughly address that. But we did look at that and it's not economically feasible to do that.

Commissioner Hedetniemi: I don't understand why it isn't possible.

Ms. Strobel: Okay, why don't I ask – why don't I ask Ms. Hassinger to come down and we can more thoroughly address that question.

Chairman Murphy: Let me make it clear. We're not going to go on verbatim until we start with the motion because this is just information.

Commissioner de la Fe: But he's putting it in for the record.

Chairman Murphy: Are you?

Commissioner Flanagan: She hasn't made a motion yet.

Chairman Murphy: I know. That's what I say I want on verbatim.

Commissioner Hart: I don't think Jake's started yet. I think we're okay.

Chairman Murphy: Okay. Come on down please and identify yourself for the record.

Catherine Hassinger, Executive Director, Bethany House of Northern Virginia, Inc.: My name is Cathy Hassinger. I'm the executive director. One of our conditions upon –

Chairman Murphy: All right, wait a minute. Hold on. We're going to put this on the record. Go ahead. Go ahead.

Ms. Hassinger: One of the conditions for the development of the home is that we would not be conducting business on the property and that we would ensure that the business of the organization remained not in a residential use – that we would do it in our offices. When we looked at the opportunity to have somebody in the house at all times without doing business, it became a little bit problematic when we might have a vacant house or we might have a client who was in the house for a morning before she stepped out for an afternoon appointment. And having somebody at the house who was, essentially, sitting in the house not able to do business made it not as efficient as we would like with some – with our donor dollars. So we certainly – it's just not practical for us. I mean we certainly respect that sometimes there's a need for our neighbors to want us to be there, but again – these are the victims of crime. They're not the perpetrators of crime. They're not creating a mess in the shelters or in the neighborhoods. If we do have a need to get to the shelters, our offices are very close by and we can be there within minutes and we often are there within minutes. Staff do come in and out of the house during the day just to deliver groceries or some other errands for clients, but we did not find that it was going to be feasible for us to have somebody there at all times if they were not able to conduct business.

Commissioner Hedetniemi: Okay, thank you.

Ms. Hassinger: Thank you.

Chairman Murphy: Yes, Ms. Hall. Wait a minute.

Commissioner Hall: I just want to follow up on that point. The women who are living here – and I've asked additional questions – they are working during the day. They are going to a job. I inquired if daycare was provided at the house. It is not provided at the house. So the mothers and the children leave for other off-site daycare. So essentially, you would have somebody sitting in the house watching an empty house because they can't conduct business there. But there is someone there at night. And again, the other office is quite close and the number is posted.

Ms. Hassinger: Thank you.

Chairman Murphy: Yes, Ms. Hurley.

Commissioner Hurley: Thank you, Mr. Chairman. Follow on to both the previous Commissioners – you don't provide daycare and there's nobody at the house. Are all the school children kept at school until the parents in SAC programs or whatever after-school programs – there were some correspondence to the Commission about children that are coming home and are not being supervised. So are children coming home to an empty house is the question.

Ms. Hassinger: That is not our regulation for our clients. Does it ever happen? Yes, that is addressed immediately with the clients. I will say when that does happen, we have actually reported our clients to Child Protective Services when that does occur because we take that very seriously when the children are not under the supervision of an adult, whether that's at school or at home. We do not permit that. I would say that's a rare exception because our clients are made very aware of that.

Commissioner Hurley: And at what age do you allow children to be alone? I mean the County Child Protective Services may allow several 14/15-year-olds to be alone – the neighborhood might not like that. We don't allow them to be unaccompanied at all.

Ms. Hassinger: We don't allow them to be unaccompanied at all.

Commissioner Hurley: Until age 18 or whatever?

Ms. Hassinger: They would have to be independent. So even an 18-year-old who is still in high school would have to be accompanied by a parent – so they would have to be 18 and viewed as a separate household.

Commissioner Lawrence: Mr. Chairman?

Chairman Murphy: Yes. Excuse me, Mr. Lawrence and then Mr. Flanagan. You'll get there. We'll get there.

Commissioner Lawrence: Concerning the question of having somebody there – you can't do that. I understand that. As a not-for-profit, things are pretty thin in the salary department. You do have a point of contact, as I understand it. Could it be – could you arrange to have somebody be the duty person each day for the facility, such that if a call did come in, they would be on call? You mentioned that the headquarters are very close so somebody could be there in a few minutes. Yes, it would interrupt what they were doing at the office, but not for the day. And that would still give the comfort of having somebody within minutes that you could get to. Would that work?

Ms. Hassinger: Absolutely. And we are often interrupted in the middle of our business and have to leave for whatever that occasion may be so we are accustomed to doing that already. The point of contact will be assigned to a single person in the office and that person would have the responsibility for answering that phone and responding to the calls that come through.

Commissioner Lawrence: So Ms. Strobel, I don't think that would be very much trouble at all to work into the development conditions.

Ms. Strobel: I think that it is in the condition. I can make it more clear, but it does say that name, telephone number, and email address – so they can contact this individual. One of three ways will be provided.

Commissioner Lawrence: And that gets at from the neighbor's point of view, but the on-call designation, I think, is what gets it from Commissioner Hedetniemi's point of view, for instance. It means there's somebody who is responsible to get on their horse and go over there if something comes up.

Ms. Strobel: We can work on some language.

Commissioner Lawrence: Thank you very much. Thank you Mr. Chairman.

Chairman Murphy: Mr. Flanagan and then Mr. Litzenberger.

Commissioner Flanagan: Thank you, Mr. Chairman. First of all, I'd like to compliment you for coming up with a response to the community. We Commissioners sit here and the only – I don't know the conditions there. I haven't visited it myself, but I have to depend upon the public hearing and the problems that those who testified – you know, advanced for a resolution. And I'm glad that you have come forward with responses to them. But I've also received emails from the community responding to what – of your conditions – your new conditions. And they seem to still be saying that those are fine, but they would prefer to have a period here of seeing whether the applicant can live up to those – you know, conditions for a period of time before they are rewarded with an addition. It's difficult for me to – I believe in resolving these problems before we do reward an application – you know, so that they can forget about the conditions. And the next thing we know that all those opportunities that you have now set up – it'll be a goal of the residents of the community to be on watch for every problem that occurs. And they will rush over there to take advantage of that lock box or the telephone number or the email and that sort of thing. So by not resolving the problems ahead of time, we're actually – you know, triggering further problems. So it bothers me to support this application with that kind of prospect. It has – do you – have you taken your – your proposals back to the community? And they – have they voted in favor of the application now on the basis of those?

Commissioner Hall: Mr. Chairman?

Chairman Murphy: Yes. I'm just thinking of the landfill –

Commissioner Hall: Ms. Strobel hold –

Chairman Murphy: -we didn't reach a consensus or agreement on the landfill and that's still going back and forth.

Commissioner Hall: Okay.

Chairman Murphy: Ms. Hall.

Commissioner Hall: Yes. Time out, sports fans. Ms. Strobel complied with all the requirements of Mason District. And granted, because there wasn't a homeowners association, they were not contacted. She did meet with the community and it was not all one-sided. There were people in the community who supported it. The majority of the citizens didn't even know the building was there and it's been there for almost 20 years. It has been functioning for 20 years. What has made this – and I would point out there were no violations on this property, okay? I would point out that now the community knows about this property and what happened because one citizen elected to put out placards that were probably 2 feet – I don't know – by 18 inches with Bethany House in a red circle with a cross through it. And –

Ms. Strobel: With the property address.

Commissioner Hall: -and with the property address and the date it's going to the Board, which I think was inappropriate because it was misleading. Bethany House is not the subject of this application. Bethany House has been there, has been working in the community, and most people didn't care and never knew there was an issue. That being said, once we became aware of it, she did meet. We discussed all of these conditions with the community. Some people found it acceptable. Some people were just not going to be happy, okay? Some people viewed these women as almost prisoners. They're not. They're in a bad way and they're getting help. There are lots of homes like this for lots of different social reasons and I think it's what makes us great, as opposed to what distracts us. The properties sell, the houses get additions – life goes on. What Bethany House is asking for is nothing more than what any other homeowner – it will not be as large as the house that is directly across the street. So I think we want to – I did hear that complaint – let's see how you do it. But that's not how land use is done in Fairfax County. When there is an applicant and he has violations, he has to come through this process. We lay down conditions for them to correct the problem. We don't say go away for a year and see if you have worked this out. We can't do business like that. So anyway, I thought I'd share those with you.

Chairman Murphy: Mr. Litzenberger.

Commissioner Litzenberger: Thank you, Mr. Chairman. Ms. Strobel, several of the residents close by expressed concerns over parking. Was any of that discussed? Or have any changes been made concerning parking right by the residents?

Ms. Strobel: It was discussed and I think it wasn't – you know, it's as we discussed at the meeting – it's hard to identify whose car is whose if there's a car parked on the street. It's not illegal to park on the street, but I will stand by what we've said before and that's what Bethany House's policy – is that people with cars are not assigned to this location because they do appreciate and acknowledge the parking situation. I would also say that we are meeting Fairfax County Zoning Ordinance requirements for parking. So I really don't think that – I don't think that that's an issue.

Commissioner Litzenberger: Okay, thank you.

Chairman Murphy: Any other comments? All right, thank you very much.

Ms. Strobel: Thank you.

Chairman Murphy: Okay. Ms. Hall.

Commissioner Hall: Thank you, Mr. Chairman. This has been an interesting case to say the least. And now I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF SE 2014-MA-003, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS NOW DATED JULY 22ND, 2014.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion of the motion?

Commissioner de la Fe: Mr. Chairman?

Chairman Murphy: Mr. de la Fe.

Commissioner de la Fe: Mr. Chairman, as I stated during the public hearing – and I'll repeat it now for the record – I am extremely concerned by what our ordinances require – that we have this kind of discussion in public for this kind of a facility where victims, by the very nature of why they have suffered, are – in effect – have to go somewhere where people really don't know – you know, where their perpetrators of crimes against don't easily reach them. The law was changed years ago so that this kind of process didn't have to occur for up to eight residents and it was a by-right decision. Maybe it's time to look at – if not by size – by the nature of the crime being committed against the victims as to what the public process should be for – I mean for – you know, for these kinds of facilities. I am sorry that we have had to go through this. It is now and forever will be on the internet where this location is.

Chairman Murphy: I couldn't agree more. What we're doing is we're punishing the innocent.

Commissioner de la Fe: Yes.

Chairman Murphy: And that's a disgrace.

Commissioner Hall: And I would agree.

Commissioner Hart: Mr. Chairman?

Chairman Murphy: Mr. Hart.

Commissioner Hart: Thank you. The ordinance contemplates this type of use in a residential district. If we can't place a use like this on a lot like this on Columbia Pike next to a bus stop and across the street from a police station, where are we going to put a use like this? Thank you.

Chairman Murphy: Further discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve SE 2014-MA-003, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioner Flanagan: Abstain.

Chairman Murphy: Motion carries.

Commissioner Sargeant: Mr. Chairman? I abstain, not present.

Chairman Murphy: Mr. Flanagan abstains. And Mr. Sargeant abstains, not present for the public hearing.

Commissioner Hall: I move that the Planning –

Chairman Murphy: Although Mr. Flanagan was present for the public hearing.

Commissioner Flanagan: Yes.

Chairman Murphy: Okay.

Commissioner Hall: Okay. I MOVE THAT THE PLANNING COMMISSION RECOMMEND A WAIVER OF THE TRANSITIONAL SCREENING BARRIER REQUIREMENTS ALONG THE NORTHERN, WESTERN, AND EASTERN PROPERTY BOUNDARIES IN FAVOR OF THE EXISTING WOODEN FENCE SHOWN ON THE SE PLAT.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Discussion of that motion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Hall: And last but not least, I move that the Planning –

Chairman Murphy: Same abstentions. Sorry.

Commissioner Hall: Last but not least, I RECOMMEND THAT THE PLANNING COMMISSION RECOMMEND A WAIVER OF THE TRAIL REQUIREMENT ALONG COLUMBIA PIKE IN FAVOR OF THE EXISTING SIDEWALK ALONG THE SERVICE DRIVE.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Discussion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries, same abstentions.

Commissioner Hall: Thank you, Mr. Chairman. And Ms. Strobel, thank you. It became clear that she is doing this pro-bono and I think that speaks of her and her efforts for our community. And I thank you.

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(Each motion carried by a vote of 10-0-2. Commissioners Flanagan and Sargeant abstained.)

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ORDER OF THE AGENDA

Secretary Hall established the following order of the agenda:

1. SE 2014-SP-011 – STARBUCKS COFFEE COMPANY
2. PCA C-052-08/FDPA C-052-14 – CESC SKYLINE, LLC (Mason District)
3. SEA 79-S-031-03 – MCDONALD'S CORPORATION

This order was accepted without objection.

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The first public hearing was in the Springfield District; therefore, Chairman Murphy relinquished the Chair to Vice Chairman de la Fe.

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SE 2014-SP-011 – STARBUCKS COFFEE COMPANY – Appl.
under Sects. 4-704 and 7-607 of the Zoning Ordinance to permit
fast food restaurant and drive-thru. Located at 12001 Lee Jackson
Memorial Hwy., Fairfax, 22030, on approx. 4.29 ac. of land zoned
C-7 and HC. Tax Map 46-3 ((8)) 16A. SPRINGFIELD DISTRICT.
PUBLIC HEARING.

Shane Williams, Applicants Agent, Starbucks Coffee Company, reaffirmed the affidavit dated June 19, 2014.

There were no disclosures by Commission members.

Commissioner Murphy asked that Vice Chairman de la Fe ascertain whether there were any speakers for this application. There being none, he asked that presentations by staff and the applicant be waived, and the public hearing closed. No objections were expressed; therefore, Vice Chairman de la Fe closed the public hearing and recognized Commissioner Murphy for action on this case.

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Vice Chairman de la Fe: And I'll close the public hearing. This is in the Springfield District.

Commissioner Murphy: Thank you, Mr. Chairman. This is a swap in an office building on Lee Jackson Memorial Highway where we're swapping out a bank with drive-in that's gone out of business to put in a Starbucks with a drive-in that's going into business. It is in conformance with the Comprehensive Plan. The Zoning Ordinance is compatible with the area where it's going so therefore, Mr. Chairman, I MOVE THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE SE 2014-SP-011, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS contained – or DATED, I should say, JULY 10TH, 2014, AND CONTAINED IN THE STAFF REPORT.

Commissioner Hall and Hedetniemi: Second.

Vice Chairman de la Fe: Seconded by Commissioner Hedetniemi and Mrs. Hall.

Commissioner Hall: Yes.

Vice Chairman de la Fe: Are there any comments from the Commission? Hearing and seeing none, all those in favor, signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? The motion carries. Next time, bring some coffee.

Commissioner Murphy: Thank you. Good job. Eloquent presentation, I appreciate it.

William O'Donnell, Zoning Evaluation Division, Department of Planning and Zoning: Mr. Chairman – Chairman Murphy –

Commissioner Murphy: Oh I'm sorry, there is a waiver.

Vice Chairman de la Fe: There – I'm sorry.

Mr. O'Donnell: There is one more.

Vice Chairman de la Fe: There is another one.

Commissioner Murphy: Yes, I forgot to turn the page. I got carried away here. I FURTHER RECOMMEND THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS TO APPROVE THE WAIVER OF THE SITE PLAN REQUIREMENT, AS THERE IS LESS THAN 250 [sic] SQUARE FEET OF SITE DISTURBANCE PROPOSED WITH THIS APPLICATION, AND WOULD RECOMMEND THAT THEY APPROVE A REAFFIRMATION OR A MODIFICATION OF THE TRANSITIONAL SCREENING IN FAVOR OF THE EXISTING VEGETATION ON-SITE.

Commissioner Hedetniemi: Second.

Vice Chairman de la Fe: Seconded by Commissioner Hedetniemi. Is there any discussion? Hearing and seeing none, all those in favor, please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? The motion carries. Anything else?

Commissioner Murphy: Nope. Thank you very much, Chris.

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(Each motion carried by a vote of 12-0.)

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At the conclusion of the case, Chairman Murphy resumed the Chair.

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PCA C-052-08/FDPA C-052-14 – CESC SKYLINE, LLC –
Appls. to amend the proffers, conceptual and final development plans for RZ-C-052, previously approved for office development, to permit mixed-use development and associated modifications to proffers and site design with an overall Floor Area Ratio (FAR) of 1.58. Located at 5275 Leesburg Pk., Falls Church, 22041, on approx. 5.25 ac. of land zoned PDC, CRD, HC, and SC Comp. Plan Rec: Mixed Use. Tax Map 62-3 ((1)) 38B. MASON DISTRICT. JOINT PUBLIC HEARING.

Sara Mariska, Attorney/Agent, Walsh, Colucci, Lubeley, Emrich & Walsh, PC, reaffirmed the affidavit dated June 27, 2014.

Commissioner Hart disclosed that his law firm, Hart & Horan, PC, had a case where attorneys from Ms. Mariska's firm were representing an adverse party, but noted that this matter and those parties were unrelated to this application and there was no business or financial relationship; therefore, it would not affect his ability to participate in this case.

Casey Gresham, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of applications PCA C-052-08 and FDPA C-052-14.

Ms. Mariska described the existing development, noting that it was zoned as a Planned Development Commercial District and had been vacated by the Defense Information Systems Agency. She said that the applicant planned to revitalize the site by incorporating additional uses and the subject applications would permit uses such as a health club in the cellar space as well as restaurant and retail uses on the first floor. In addition, Ms. Mariska stated that the proposal

would enhance the frontage along Leesburg Pike by providing outdoor seating, open plazas, and additional pedestrian connections. She added that the proposal was consistent with the revitalization goals outlined in the Comprehensive Plan in the area. She indicated that the subject applications had the support of the Mason District Land Use Committee and the Bailey's Crossroads Revitalization Corporation. Ms. Mariska pointed out that the applicant had modified Development Condition Number 2, which pertained to the development of a future streetcar system near the site. She stated that the applicant was still evaluating the impact of a streetcar system in the area.

Commissioner Hart asked how the installation of a streetcar system would affect the subject property. Ms. Mariska indicated that the extent of this impact was still being evaluated, noting that there were multiple locations on the site that could be utilized for a streetcar station and each location would affect the site differently. She added that the applicant intended to minimize the impact of a streetcar system, but acknowledged that constructing a streetcar station at certain locations would result in reduced parking for the site. A discussion ensued amongst Commissioner Hart, Ms. Mariska, and Jeffrey Kreps, Applicants Engineer, VIK A Virginia, LLC, regarding the possible design of a streetcar station wherein Mr. Kreps described the preferred design for the station that had been provided to the applicant.

Chairman Murphy called for speakers but received no response; therefore, he noted that a rebuttal statement was not necessary. There were no further comments or questions from the Commission and staff had no closing remarks; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Hall for action on these cases.

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Chairman Murphy: Public hearing is closed; recognize Ms. Hall.

Commissioner Hall: Thank you – thank you, Mr. Chairman. This is a good case of when you get lemons, you make lemonade. It has been a truly large impact when the military pulled out. I'll tell you a very quick funny story. When I first started working for the navy, I thought DISA was a person up here in Virginia that I had to call. But anyways, that was before I knew about acronyms. On that note, I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF PCA C-052-08, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED JULY 17TH, 2014.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve PCA C-052-08, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Hall: I MOVE THAT THE PLANNING COMMISSION APPROVE FDPA C-052-14, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED JULY

17TH, 2014, CONTAINED IN THE STAFF REPORT WITH THE FOLLOWING CHANGES TO CONDITION 2:

- TO ADD, “IN CONSULTATION WITH DPZ AND FCDOT,” AT THE END OF THE FIRST SENTENCE.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Discussion? All those in favor of the motion to approve FDPA C-052-14, subject to the Board’s approval of the PCA, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

William O’Donnell, Zoning Evaluation Division, Department of Planning and Zoning: Commissioner Murphy, before we move onto the next motion, she – the – it should be the development conditions in the staff report dated – there is – she mentioned July 17th. I think the conditions are dated a different date.

Commissioner Hall: No. They aren’t different.

Mr. O’Donnell: They are – my bad.

Chairman Murphy: Okay.

Commissioner de la Fe: They’re dated to the 17th.

Commissioner Hall: And this is the reason I didn’t waive the hearing. I move –

Chairman Murphy: You get one a month so that’s it.

Commissioner Hall: I move that the – what?

Commissioner Hart: His writing at the top –

Commissioner Hall: It is his writing, but he forgot to – never mind. I MOVE THAT THE PLANNING COMMISSION RECOMMEND A MODIFICATION OF THE EIGHT-FOOT ASPHALT TRAIL ALONG LEESBURG PIKE.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Discussion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Hall: I MOVE THAT THE PLANNING COMMISSION RECOMMEND A MODIFICATION OF THE STREETSCAPE STANDARD IN FAVOR OF THE PLANTINGS SHOWN ON THE PCA/FDPA PLAN.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Discussion? All those in favor of that motion, say aye.

Commissioners: Aye.

Commissioner Hall: I MOVE THAT THE PLANNING COMMISSION RECOMMEND A REAFFIRMATION OF THE WAIVER OF THE SERVICE DRIVE ALONG LEESBURG PIKE.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion? All those in favor of that motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Hall: I MOVE THAT THE PLANNING COMMISSION RECOMMEND A REAFFIRMATION OF THE WAIVER OF THE TRANSITIONAL SCREENING AND THE BARRIER REQUIREMENTS IN FAVOR OF THE PLANTINGS SHOWN ON THE PCA/FDPA PLAN AND AS CONDITIONED.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion of that motion? All those in favor of that motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Hall: And finally, I MOVE THAT THE PLANNING COMMISSION RECOMMEND REAFFIRMATION OF AN INCREASE IN THE FAR TO RECOGNIZE THE EXISTING 1.57 FAR.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Discussion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

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(Each motion carried by a vote of 12-0.)

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The next public hearing was in the Springfield District; therefore, Chairman Murphy relinquished the Chair to Vice Chairman de la Fe.

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SEA 79-S-031-03 – MCDONALD’S CORPORATION – Appl.
under Sect. 4-604 of the Zoning Ordinance to amend SE 79-S-031
previously approved for a fast food restaurant with drive-through
to permit building additions and associated modifications to site
design and development conditions. Located at 9528 Old Keene
Mill Rd., Burke, 22015, on approx. 12.45 ac. of land zoned C-6.
Tax Map 88-1 ((1)) 14C. SPRINGFIELD DISTRICT. PUBLIC
HEARING.

Inda Stagg, Attorney/Agent, Walsh, Colucci, Lubeley, Emrich & Walsh, PC, reaffirmed the affidavit dated April 24, 2014.

Commissioner Hart disclosed that his law firm, Hart & Horan, PC, had a case where attorneys from Ms. Stagg’s firm were representing an adverse party, but noted that this matter and those parties were unrelated to this application and there was no business or financial relationship; therefore, it would not affect his ability to participate in this case.

Joseph Gorney, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of application SEA 79-S-031-03.

Commissioner Murphy said that after the publication of the staff report, the applicant had been notified by the owner of the neighboring gas station located east of the subject property about an issue regarding runoff. He described the history of the subject property, noting that numerous tenants had occupied the site. He also pointed out that the County had been notified of this issue and asked staff how this issue had been addressed. Mr. Gorney stated that staff had coordinated with the Fire Marshal, the Fairfax County Health Department (FCHD), and the Department of Public Works and Environmental Services to investigate the issue on the site and they discovered that there was a sewer main along the road that had been subject to runoff issues. In addition, he said that some of the runoff came from condensation from an air conditioner unit on top of the existing structure on the site. Mr. Gorney also pointed out that there was an easement connecting the subject property with the neighboring gas station and since the subject property was at a higher elevation, the runoff frequently flowed onto the neighboring site. He then indicated that

Development Condition Number 18 in the revised set was intended to address this issue by prohibiting the applicant from discharging any substance other than stormwater runoff onto the neighboring site. (A copy of the revised development conditions dated July 16, 2014, is in the date file.)

In response to questions from Commissioner Murphy, Mr. Gorney said that the revised development conditions had been distributed a week prior to the public hearing. He also confirmed that the subject property had not been issued any violations regarding runoff from the site, but noted that FCHD recommended that the condensation from the existing building be discharged to a storm sewer on-site. He then reiterated that Development Condition Number 18 would address this issue.

Referring to Development Condition Number 19, which limited the noise level at the property to 45 decibels, Commissioner Hart expressed concern about the enforcement of noise issues and the noise regulations outlined in the Zoning Ordinance. He cited a previous case that involved limiting the noise impact of a development and described the different ways by which noise was measured, noting that one involved a daily average of noise levels and another involved peak noise. Commissioner Hart suggested that Development Condition Number 19 be revised to specify the method of measuring the noise level generated by the site. William O'Donnell, ZED, DPZ, did not object to this modification, saying it could be implemented prior to the Board of Supervisors' public hearing for this case.

Ms. Stagg explained that the subject application would modify the architecture and façade of the existing McDonald's restaurant on the site to make it more consistent with the architecture of more contemporary McDonald's restaurants. She said that both the interior and the exterior of the building would be modified, but noted that the existing structure on the site would not be demolished.

Ms. Stagg indicated that the applicant had been informed of the runoff issue raised by the neighboring property owner and did not object to the provisions in Development Condition Number 18. In addition, she stated that she did not object to modifying Development Condition Number 19 to address the concerns raised by Commissioner Hart regarding the measure and enforcement of noise levels at the site. Ms. Stagg noted that the subject application was necessary to incorporate the desired modifications to the site because the site was subject to a previously-approved Special Exception. She also pointed out that the hours of operation for the site would be modified to permit 24-hour-a-day operation, adding that this would encourage growth throughout the surrounding commercial development.

Referring to two McDonald's restaurants located along Richmond Highway in the Mount Vernon District, Commissioner Flanagan indicated that the noise generated by these restaurants was not significant. Ms. Stagg explained that the noise provision in Development Condition Number 19 had been included with the subject application due to the close proximity of a residential community and the applicant's intent to extend its hours of operation. A discussion ensued between Commissioner Flanagan and Ms. Stagg regarding the location of the ordering kiosks on the site wherein Ms. Stagg indicated that the applicant did not object to the noise prohibitions in Development Condition Number 19.

Commissioner Murphy described the nearby residential development around the subject property, noting the extent to which the existing McDonald's restaurant on the site was utilized. He commended the applicant for maintaining the site and discouraged the use of inappropriate signage at the site.

Vice Chairman de la Fe called the first listed speaker and recited the rules for public testimony.

Barry Reiger, 9550 Old Keene Mill Road, Burke, representing Petroco, Inc. t/a Express Stop, said that he did not object to the proposed modifications to the site and supported the provisions in Development Condition Number 18, noting the extent of the issue regarding runoff from the subject property onto the neighboring gas station. Mr. Reiger described the current flow of the runoff onto the gas station, saying that most of the runoff occurred when the restaurant on the subject property was cleaned.

A discussion ensued between Commissioner Murphy and Mr. Reiger regarding previous efforts to coordinate with the applicant to address this issue and the source of the runoff flowing onto the adjacent property wherein Mr. Reiger identified the dishwasher as a primary source of the runoff.

Commissioner Murphy stated that the provisions in the subject application were intended to not adversely impact the existing businesses surrounding the subject property, adding that Mr. Reiger could notify the Springfield District Office if runoff from the subject property continued to be an issue.

There being no more speakers, Vice Chairman de la Fe called for a rebuttal statement from Ms. Stagg, who addressed Mr. Reiger's remarks regarding the source of runoff from the subject property and indicated that Development Condition Number 18 would address these concerns.

Referring to page 8 of the staff report, Vice Chairman de la Fe pointed out that staff had noted that new stormwater ordinance and updates to the Public Facilities Manual became effective on July 1, 2014, and the site plan associated with the subject application would be required to conform to these requirements. He then asked if these requirements would affect any provisions within the proposal. Mr. Gorney indicated that these revised provisions would not impact the subject application because the proposed modifications to the site would not require a significant disturbance to the site. In addition, Ms. Stagg said that the applicant was willing to install an additional landscaping island, but noted that this would increase the amount of disturbance on the subject property.

There were no further comments or questions from the Commission and staff had no closing remarks; therefore, Vice Chairman de la Fe closed the public hearing and recognized Commissioner Murphy for action on this case.

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Vice Chairman de la Fe: Okay, the public hearing is closed; Mr. Murphy.

Commissioner Murphy: Thank you, Mr. Chairman. I want to thank the applicant for the several meetings that we had to get this in good shape. As I said, this is a neighborhood McDonald's and it is well-used by the people in the area. We had a citizens meeting. One person showed up and that person was there to support the application, unlike several other applications I've had in the Springfield District with Mr. Gorney. This was a unique situation and I appreciate that and I always appreciate Joe's hard work. And I also want to thank Mr. O'Donnell for not writing any cryptic notes on the development conditions. So I want to thank Mr. Reiger for coming out – we're going to get it resolved. And if it isn't resolved, you contact us and we'll take another look at it, okay? Because we don't want to do anything that jeopardizes another great building – another great business in Fairfax County, just to make another one look better. And this McDonald's is going to look a lot better and we're going to be very happy to have it the way it's going to be. So therefore, Mr. Chairman, I move that the Planning Commission recommend to Board of Supervisors that it approve SEA 79-S-031-03, subject to the development conditions dated July 16th, 2014.

Commissioners Hall and Litzenberger: Second.

Vice Chairman de la Fe: Seconded by Ms. Hall and Mr. Litzenberger. Any comments? Hearing and seeing none, all those in favor, please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? The motion carries.

Commissioner Murphy: Mr. Chairman, I MOVE THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT REAFFIRM THE MODIFICATION TO THE TRANSITIONAL SCREENING AND WAIVER OF THE BARRIER REQUIREMENTS ALONG THE SOUTHERN LOT LINE IN FAVOR OF THE TREATMENT SHOWN ON THE SPECIAL EXCEPTION AMENDMENT PLAT AND AS CONDITIONED. AND ALSO – FURTHER REAFFIRM THE MODIFICATION OF THE STACKING SPACE REQUIREMENT TO PERMIT 10 SPACES TO FULFILL THE REQUIREMENT.

Commissioner Hall: Second.

Vice Chairman de la Fe: Seconded by Ms. Hall. All – any discussion? Hearing and seeing none, all those in favor, please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? The motion carries. Thank you very much.

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(Each motion carried by a vote of 12-0.)

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At the conclusion of the case, Chairman Murphy resumed the Chair.

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The meeting was adjourned at 9:38 p.m.

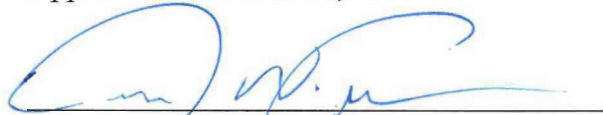
Peter F. Murphy, Chairman

Janet R. Hall, Secretary

Audio and video recordings of this meeting are available at the Planning Commission Office,
12000 Government Center Parkway, Suite 330, Fairfax, Virginia 22035.

Minutes by: Jacob Caporaletti

Approved on: March 26, 2015



John Cooper, Clerk to the
Fairfax County Planning Commission